

# AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS  
180 HIGH STREET  
WAKEFIELD, RI

TUESDAY, FEBRUARY 25, 2014

**NOTE:** Individuals requesting interpreter services for the deaf or hard of hearing must call 792-9642 (TDD) or 789-9331 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 2/20/2014

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1. A. **WORK SESSION – 6:45 PM**  
All items listed on Town Council agenda are subject to discussion.

- B. **REGULAR SESSION – 7:30 PM**

2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

- A. **Work Session – February 10, 2014**

- B. **Regular Session – February 10, 2014**

5. **CONSENT AGENDA**

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- I. Rule 10A. for the conduct of the meetings of the South Kingstown Town Council for the Term 2012 through 2014: Members of the public shall be entitled to speak at regular meetings during any period designated on the agenda for public comment, once, for a period of five minutes, or longer at the discretion of the President, and at other times when invited to do so by the President. The public shall address their comments to the question under debate as indicated on the agenda. Pursuant to RI General Laws §42-46-6(b), public comment regarding subject matter not on the agenda but received during the public participation portion of a meeting shall be for information purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.
- II. Rule 11: No item of business other than that of adjournment may be brought before the Town Council at any meeting unless such an item is introduced before 11:00 PM; provided, however, that this rule may be suspended by an affirmative vote of a majority of members present.
- III. Rule 13: All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

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**6. LICENSES**

- (CA) A. A resolution granting a Victualling License to SOUTH KINGSTOWN LITTLE LEAGUE INC. for the concession at Tuckertown Park. Application by Sean Deibler, P.O. Box 388, Wakefield, RI 02880; Renewal.
- (CA) B. A resolution granting Victualling, Holiday Sales and Motion Picture Theatre Licenses to SOUTH KINGSTON CINEMA LLC d/b/a ENTERTAINMENT CINEMAS, 30 Village Square Drive, Wakefield, RI 02879. Application by Joseph Armstrong, Jr., 8 Hawthorne Road, Winchester, MA 01890; Renewal.
- (CA) C. A resolution granting a Private Detective License to JAMES P. MULLEN, 51 Jefferson Boulevard, Warwick, RI 02888. Application by James P. Mullen, 25 Little Rest Road, Kingston, RI 02881; Renewal.
- (CA) D. A resolution granting a Tourist Accommodation License to DAVID and STEPHANIE OSBORN d/b/a SUGARLOAF HILL B & B, 607 Main Street, Wakefield, RI 02879 for 3 spaces, 5 persons. Application by Stephanie A. Osborn, 607 Main Street, Wakefield, RI 02879; Renewal.
- E. A resolution granting a Class F 19 Hour Beverage License to THE MATTHEW SIRAVO MEMORIAL FOUNDATION INC. d/b/a THE MATTY FUND, 100 High Street, Suite F, Wakefield, RI 02879 for an event to be held on Monday, May 26, 2014 from 10 AM to 1 PM under a tent in the parking lot at 456 Main Street in conjunction with the Matty Fund Memorial Day 5K road race. Application by Richard Siravo, Director, P.O. Box 5300, Wakefield, RI 02880; New.

**7. PUBLIC HEARING**

- A. A Public Hearing, in accordance with RI General Laws §24-6 *Abandonment by Towns*, to consider the abandonment of a portion of Plains Road consisting of approximately 2,300 feet of roadway length south of Flagg Road.

The portion of Plains Road being considered for abandonment is bounded and described as follows: Plains Road from its intersection with Thirty Acre Pond Road extending easterly, then northerly to the intersection with Flagg Road. The purpose of this hearing is to determine whether said portion of Plains Road has ceased to be useful to the public.

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**8. COMMUNICATIONS**

- A.** A resolution adopted February 10, 2014 by the Charlestown Town Council in support of legislation to repeal RIGL §17-19-15 *Party Levers* that provides for “master lever” voting (2014 – S 2091 and H 7512) is received, placed on file, and the Town Council further directs \_\_\_\_\_. (2/20/2014 Miscellaneous, Item II B.)
- (CA) B.** Any communication added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

**9. COMMENTS FROM INTERESTED CITIZENS**

**10. TOWN MANAGER’S REPORT**

**11. TOWN SOLICITOR’S REPORT**

**12. APPOINTMENTS**

- A.** A resolution appointing \_\_\_\_\_ to the \_\_\_\_\_ Board/Committee/Commission for a term to expire in \_\_\_\_\_. (See *Attachment A for Boards and Commissions Appointments Report*)

**13. NEW BUSINESS**

- (CA) A.** A resolution authorizing the Tax Assessor to abate taxes in the total amount of \$4,511.85, as shown on Tax Abatement Request No. 500.

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- B.** A resolution authorizing an award of bid to TBNG Consulting, 50 Industry Drive, West Haven, CT 06516 for Information Technology Consultant Services for installation of a Microsoft Exchange email environment in an amount not to exceed \$7,040; and as further described in a memorandum from the Information Technology Director to the Town Manager dated February 18, 2014 and entitled “IT Services for Exchange – Recommendation.”
- (CA) C.** A resolution that a claim filed by Brenda L. Fortune, Esquire on behalf of her client, Janyce Wziontka relative to an incident that is alleged to have occurred on or about August 18, 2013 be denied for lack of specificity, and referred to the Town Solicitor and the Town’s insurance carrier.
- (CA) D.** A resolution authorizing an award of bid to LL Data Designs LLC, 5 Bayou Drive, Greenville, RI 02828 for Probate, Dog License and Vital Statistics Database Programs in an amount not to exceed \$9,340.75, including the conversion of the current databases and a three year maintenance agreement; and as further described in a memorandum from the Town Clerk to the Town Manager dated February 18, 2014 and entitled “Town Clerk Database Proposal.”
- E.** A resolution authorizing an award of bid to Mega Mechanical Services, LLC, 98 Commerce Street, Glastonbury, CT 06033 for HVAC modifications at the Animal Shelter, per vendor proposal dated January 24, 2014, in an amount not to exceed \$19,240; and as further described in a memorandum from the Police Chief to the Town Manager dated February 14, 2014 and entitled “Bid Recommendation – Animal Shelter – HVAC Modifications/Air Purification System.”
- F.** A resolution accepting the edits and minor modifications to the “Town of South Kingstown, RI Comprehensive Community Plan, 2013” as detailed in the memorandum from the Director of Planning to the Town Manager dated February 19, 2014 and entitled “South Kingstown Comprehensive Community Plan, Five-Year Update.” It is the finding of the Town Council that said edits and minor modifications are required to address State review comments under RIGL §45-22.2-9 (Comprehensive Planning and Land Use Regulation Act) and do not change the goal, policy and implementation structure of the Plan.

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- (CA) G.** Any New Business added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --...  
“Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

**Boards and Commissions Appointments Report**

The following information reflects the status of those Town boards, commissions and committees which have vacancies, members whose terms are expiring and are eligible for reappointment, and/or applications filed for consideration of appointment. The Town Council may make appointments at any meeting.

**Affordable Housing Collaborative Committee (7 members/3 year term)**

Two vacancies: terms expire August 2016 (John Taylor Ellis and Jean Johnson did not wish to be reappointed)

**Conservation Commission (7 members/3 year term)**

One vacancy: term expires September 2016 (Peter A. Duhamel resigned October 2013)  
Applicants: Timothy A. Ulmschneider (applied 7/29/2013; interviewed 10/28/2013); Christopher J. O'Connor (applied 11/14/2013; interviewed 1/27/2014)

**Economic Development Committee (11 members/3 year term)**

Four vacancies: 2 terms expire March 2014, 2 terms expire March 2016 (Teresa Tanzi resigned December 2010; Deedra Durocher and Robert Kermes resigned December 2011; Dennis Moffitt was not reappointed)  
Applicants: Richard J. Jurczak (applied 11/6/2013); Brian P. Smith (applied 11/15/2013); Frances Alexakos (applied 11/20/2013)

**Historic District Commission (7 members/3 year term)**

Three vacancies: terms expire December 2014, December 2015, and December 2016 (William Sheffield deceased June 2013; Eric Creamer resigned January 2012; Lois Hamblet did not wish to be reappointed)  
Applicant: Karen M. daSilva (applied 8/6/2013; interviewed 2/10/2014)

**Partnership for Prevention (7 members/3 year term)**

One member vacancy: term expires June 2015; one Ex-Officio Law Enforcement vacancy (Captain Allen resigned); two Ex-Officio student vacancies

**Planning Board (7 members/3 year term)**

One vacancy: term expires May 2014 (Fred Morrison resigned September 2013)  
Applicants: Frank H. Heppner (applied 5/10/2013; interviewed 1/27/2014); Christopher J. O'Connor (applied 11/14/2013; interviewed 1/27/2014); J. Eric Sherer (applied 2/3/2014); Pamela B. Rubinoff (applied 2/18/2014)

**Route 138 Reconstruction Project Area Committee (11 members/2 year term)**

Two vacancies: terms expire May 2015 (Nevan Hanumara and Joseph Paolino did not wish to be reappointed)

## **Attachment A**

### **Trustees of the South Kingstown School Funds (5 members/5 year term)**

Vacancy: one term expires June 2018 (Claire Wilcox moved out of state)

### **Waterfront Advisory Commission (7 members/3 year term)**

Vacancy: one term expires June 2016 (Anne E. Heffron did not wish to be reappointed)

Applicants: Timothy A. Ulmschneider (applied 7/29/2013; interviewed 10/28/2013);

Timothy P. O'Neill (applied 8/2/2013; interviewed 2/10/2014); Richard J. Jurczak (applied 11/6/2013)

### **Zoning Board of Review (5 members, 2 alternate members/3 year term)**

Vacancy: one term expires March 2014 (Ernest George resigned December 2013)

Applicant: Christopher J. O'Connor (applied 11/14/2013; interviewed 1/27/2014)

Reappointments for terms expiring March 2014: Igor Runge and Robert Toth wish to be reappointed. Robert Cagnetta, who currently serves as an alternate, has indicated he wishes to be reappointed as a full member to fill the vacancy. It is reported that Mr. Cagnetta has attended 36, Mr. Runge has attended 32 and Mr. Toth has attended 30 of 38 meetings held during the current term.